

REMARKS

In the Office Action,¹ the Examiner rejected claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0125993 to Gutta et al. ("*Gutta*") in view of U.S. Patent No. 6,199,076 to Logan et al. ("*Logan*"). Applicants respectfully traverse the rejection, because a *prima facie* case of obviousness has not been established.

Independent claim 1, as amended, recites an electronic device controlling apparatus comprising, for example, "detecting means for detecting the personal identification information received from a personal identification information transmitter."

Gutta discloses, "an individual [is] detected by a recognition system, such as a facial or speech recognition system." *Gutta*, [0002]. In *Gutta*, "detecting step comprises recognizing the face of the individual or . . . recognizing the speech pattern of the individual" ([0017]) and "a detector 104 for detecting the presence of an individual . . . preferably includes a camera and/or microphone to detect the presence of a moving object and a recognition system to recognize the moving object as a person" ([0028]).

Gutta does not disclose "a personal identification information transmitter," as recited in claim 1. In *Gutta*, a personal identification information transmitter would be unnecessary because an individual is detected via facial and speech recognition rather than via transmission and reception of personal identification information. Therefore, *Gutta* fails to disclose or suggest "detecting means for detecting the personal

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

identification information received from a personal identification information transmitter," as recited in claim 1.

The Examiner argues, "Logan teaches storing . . . personal preference information and priority information." Office Action, p. 3. Even assuming the Examiner's characterization of *Logan* is correct, which Applicants do not concede, *Logan* fails to cure the above-discussed deficiencies of *Gutta*, because *Logan* fails to disclose or suggest "detecting means for detecting the personal identification information received from a personal identification information transmitter," as recited in claim 1.

For at least the foregoing reasons, a *prima facie* case of obviousness has not been established with respect to claim 1. Furthermore, independent claims 4 and 7 each recite "personal identification information transmitting means." Therefore, claims 4 and 7, although different in scope from claim 1, are allowable over *Gutta* and *Logan* for at least reasons similar to those given for claim 1. In addition, dependent claims 2, 3, 5, 6, 8, and 9 are allowable at least by virtue of their dependence from allowable base claims 1, 4, or 7. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-9 under 35 U.S.C. § 103(a).

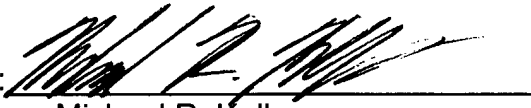
In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Michael R. Kelly
Reg. No. 33,921